

Message Text

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PAGE 01 NASSAU 01307 141909Z

46

ACTION COA-02

INFO OCT-01 ARA-16 ISO-00 EB-11 L-03 SCSE-00 SCA-01 H-03

INR-10 SSO-00 CCO-00 DRC-01 RSC-01 /049 W

----- 096632

P 141601Z SEP 73

FM AMEMBASSY NASSAU

TO SECSTATE WASHDC PRIORITY 4607

UNCLAS NASSAU 1307

E. O. 11652: N/A

TAGS : EFIS PBOR CASC BF US

SUBJ: FISHERIES INCIDENT

FOLLOWING FM CCGDSEVEN MIAMI FL REPEATED FOR YOUR INFO

P 140131Z SEP 73

FM CCGDSEVEN MIAMI FL

INFO RUEBJGA/COMDT COGARD WASHINGTON DC

RUEHBH/AMEBASSY NASSAU

ZEN/NMFS ST PETERSBERG FL

P 132355Z SEP 73

FM USCGC DAUNTLESS

TO CCGDSEVEN MIAMI FL

UNCLAS

TO O

SITREP TWO AND FINAL FISHERIES INCIDENT - F/V KELLY LYNN

1. ACTION TAKEN:

A. 131552Q DAUNTLESS ALONGSIDE F/V CYNTHIA ANN AND F/V LINDA AT ANCHOR AT POSIT 23-08N 76-18W (BY DAUNTLESS LORAN 3L5-4372 AND 3L3-3404. OUR LORAN READINGS ARE VERY CLOSE TO THOSE OF CYNTHIA ANN AS INDICATED IN BELOW STATEMENT. CYNTHIA ANN AND LINDA STATED THEY HAD REMAINED ANCHORED IN SAME POSIT SINCE INCIDENT TOOK PLACE THIS MORNING. OBSERVED MANY POTS IN THIS AREA AND TWO OTHER U.S. F/V'S.

B. OBTAINED FOLLOWING SWORN STATEMENT FROM CAPT. OF CYNTHIA ANN, AVELINO M. GONZALEZ, 595 NW 116 ST, MIAMI, TEL 681-4865, ACTO MARINE SERVICE, 28 NW SOUTH RIVER DR. MIAMI, FL.

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QUOTE: "ON THURSDAY MORNING 13 SEPTEMBER 1973 THE CYNTHIA ANN WAS

ANCHORED IN POSITION BY LORAN READINGS 3L5-4374 3L3-3402. I HAVE ABOUT 400 LOBSTER TRAPS IN ABOUT A 3/4 MILE RADIUS. THE KELLY LYNN HAS ABOUT 300 TRAPS 1/4 MILE EAST OF MY TRAPS IN A NORTH SOUTH LINE. WE DO NOT HAVE ANY TRAPS CLOSER TO LAND THAN THAT. THIS MORNING AT ABOUT 1030 KELLY LYNN GOT UNDERWAY ON COURSE 060 AT ABOUT 6 KNOTS. ABOUT 1045 THE SKIPPER OF KELLY LYNN CALLED ON RADIO AND SAID HE SAW TWO HIGH SPEED BOATS APPROACHING HIM. THE KELLY LYNN WAS NOT LOBSTERING. SHE WAS JUST UNDERWAY. HER TRAPS ARE NEAR MINE. AFTER SEEING THE BOATS HE TURNED TO A SOUTHERLY COURSE OF ABOUT 200. SOON AFTER HE SAID THE PEOPLE ON THE BOATS WERE SHOOTING AT HIM. I TOLD HIM TO CALL THE COAST GUARD. I SAW THE COAST GUARD HELICOPTER OVER THE KELLY LYNN BUT DID NOT SEE THE SHOOTING OR ANYTHING ELSE. I HAVE LORAN ON THE CYNTHIA ANN. THE KELLY LYNN ONLY HAS A COMPASS TO NAVIGATE BY. HER TOP SPEED IS ONLY ABOUT 8.9 KNOTS. I HAVE FISHED THIS AREA FOR ABOUT 11 YEARS AND KNOW THE BANKS WELL. I KNOW TO STAY OUT OF 12 MILE BAHAMIAN WATER BECAUSE IT IS AGAINST THEIR LAW. LAST YEAR I HAD AN INCIDENT NEAR WATER CAY. BY MY LORAN I WAS 13 1/2 MILES OFFSHORE AND THE BAHAMIAN POLICE CAME ABOARD AND SAID I WAS ONLY 11 MILES. I DO NOT THINK THE POLICE BOATS HAVE VERY GOOD NAVIGATION ONBOARD. UNQUOTE.

C. STATEMENT CONCURRED WITH BY FOLLOWING PERSONS:

AGUSTIN CORUJO GREGORY STILES FELIX PERREZ
410 SW 4TH ST. PO BOX 516 (CAPT. F/V LINDA)
MIAMI, FL. LAKE-HELEN, TENN. 805 NW 29TH ST.
----- ----- MIAVI, FL.

D. HELO CGNR 1399 RE-PATROLLED AREA THIS AFTERNOON WITHIN 20 MILE RADIUS OF HAWKSBILL ROCK WITH NEG. SIGHTINGS OF POTS.

E. FOLLOWING ADDITIONAL INFO FROM OBSERVATIONS BY HELO OF SEIZURE THIS MORNING: NUMEROUS AUTOMATIC WEAPONS AND RIFLES CARRIED BY BAHAMIAN POLICE. NO LOBSTER TRAPS WERE SEEN ON BOARD THE KELLY LYNN.

2. OPINIONS AND COMMENTS:

A. RECOMMEND POSIT OF CYNTHIA ANN IN PARA 1.A. OF THIS SITREP BE CONSIDERED AS MOST ACCURATE ONE. THIS WOULD PUT CYNTHIA ANN APPROX 21 MILES FROM HAWKSBILL ROCK AND 11 MILES FROM KELLY LYNN AT TIME OF SEIZURE. THIS WOULD COINCIDE WITH STATEMENT BY CYNTHIA ANN THAT KELLY LYNN HAD BEEN NEAR HIS POSITION WITHIN SIGHT ABOUT ONE HOUR BEFORE SEIZURE.

B. IT APPEARS THAT KELLY LYNN WAS JUST ON THE EDGE OF THE CFZ
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BUT WAS NOT ENGAGED IN ANY FISHING. WHEN BAHAMIAN POLICE BOAT NO. 1 WAS ASKED ON RADIO WHETHER THE KELLY LYNN WAS ENGAGED IN FISHING WHEN HE SIGHTED HIM, I RECEIVED NO REPLY AND WAS UNABLE TO RE-ESTABLISH COMMS WITH THE POLICE BOAT.

C. IT APPEARS THAT THERE WAS NOT SUFFICIENT JUSTIFICATION FOR SEIZURE OF SUBJ AND THAT BAHAMIAN POLICE USED EXCESSIVE FORCE IN MAKING THE ARREST. THE BAHAMINA BOATS WERE EASILY CAPABLE OF OVERTAKING THE KELLY LYNN. HELO REQUESTED BAHAMIAN POLICE BOAT

NOT TO FIRE ANY MORE SHOTS AT KELLY LYNN.

D. MR. AVELINO M. GONZALEZ WAS EXTREMELY COOPERATIVE AND
A VERY SINCERE PERSON. HE IS VERY KNOWLEDGEABLE OF THIS AREA.

3. FUTURE PLANS:

A. DAUNTLESS RETURNING MIAMI BEACH. ETA 141430Q. PLAN DEBARK
HELO CG-1399 WITH NMFS AGENT HASKELL AT 140800Q FOR CGAS MIAMI.

B. INFO ON ALL SIGHTINGS TODAY'S AREA WILL BE IN PATROL

SUMMARY MSG.

SPIERS

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NNN

Message Attributes

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Decaption Note:
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Disposition Case Number: n/a
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Disposition Event:
Disposition History: n/a
Disposition Reason:
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TAGS: EFIS, PBOR, CASC, BF, US
To: STATE
Type: TE
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